

From: Paul Gutwin
To: Microsoft ATR
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Subject: Microsoft Settlement

There are several thing wrong with the Microsoft settlement. As an engineer/programmer with 20 years experience, I believe the restricted definitions of "API", "Microsoft Middleware" and "Windows Operating System" effectively give Microsoft the legal authority to continue the anticompetitive behavior they were found guilty of. Specifically, the definition of API allows Microsoft to add highly valuable access to the Windows Operating System without disclosing this to it's competitors in the vast markets not included in the "Microsoft Middleware" definition. Microsoft in effect sacrifices a few highly mature markets (those defined as Microsoft Middleware), for the freedom to continue it's anticompetitive behavior in all other markets. This is, at best, a pyrrhic victory for the US Government.